

BEFORE THE TENNESSEE REGULATORY AUTHORITY

AT NASHVILLE, TENNESSEE

June 7, 2002

IN RE:

**COMPLAINT OF MR. MICHAEL
VAN WIES AGAINST CENTURYTEL
OF OOLTEWAH-COLLEGE DALE**

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**DOCKET NO.
02-00058**

ORDER EXTENDING TIME FOR FILING RESPONSES TO DISCOVERY REQUESTS


An Amended Order Establishing Procedural Schedule was issued in this docket on May 23, 2002. That Order states that each party shall serve its responses to all discovery requests upon the opposing party and shall file such responses with the Authority no later than June 7, 2002. On June 5, 2002, the Authority received a letter from Mr. Michael Van Wies, in which Mr. Van Wies requests an extension of time in which to file his responses to CenturyTel's discovery requests until July 1, 2002. The letter states as grounds for this request that it is "due to the overwhelming nature of the requests, as well as my work/education schedule."

On May 31, 2002, CenturyTel filed with the Authority a copy of a letter from counsel for CenturyTel to Mr. Van Wies. From this letter, it appears that on May 28, 2002, Mr. Van Wies refused delivery by FedEx of CenturyTel's discovery requests. The record in this matter contains nothing to indicate that CenturyTel's discovery requests were not timely served upon Mr. Van Wies or other explanation for his refusal of delivery.¹


Because Mr. Van Wies appears to have delayed receipt of CenturyTel's discovery

¹ A document that is required to be **served** on another party by a certain date is considered served when it is mailed; it need not be received by the other party on that specific date. A document that is required to be **filed** with the Authority by a certain date must be received by the Authority on or before the specified date.

requests by several days, perhaps through a misunderstanding of the May 23, 2002 Amended Order, and because of the breadth of CenturyTel's discovery requests, both parties are granted an extension until June 14, 2002 for the filing of responses to discovery requests. The May 23, 2002 Amended Order shall remain unchanged in all other respects.


Jonathan N. Wike, Hearing Officer

ATTEST:


K. David Waddell, Executive Secretary